IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA DURHAM DIVISION

Case No.: 1:22-cv-00600

IHAB DERYAS,)
Plaintiff,)) JOINT NOTICE OF AMENDED
V.) SETTLEMENT AGREEMENT
BISCUITVILLE, INC.,))
Defendant.)))

NOW COME Plaintiff Ihab Deryas ("Plaintiff") and Defendant Biscuitville, Inc. (the "Parties"), by and through their undersigned counsel of record, and pursuant to the Text Order issued by the Honorable Judge Catherine E. Eagles on March 9, 2023, hereby notifying the Court that an amended Settlement Agreement has been reached between the Parties that removes the provision prohibiting the Plaintiff from applying for a position of employment with Defendant Biscuitville, Inc. All other terms in the Settlement Agreement have remained the same. An executed copy of this amended Settlement Agreement is attached to this Notice as Exhibit A.

WHEREFORE, the Parties request that the Court enter the proposed Order approving the amended Settlement Agreement attached as Exhibit 1 to the Parties' Joint Motion for Approval of Fair Labor Standards Act Settlement. (D.E. 35-1).

Respectfully submitted, this the 16th day of March, 2023.

Counsel for Plaintiff

MAGINNIS HOWARD

/s/ Karl S. Gwaltney

KARL S. GWALTNEY N.C. State Bar No. 45118 EDWARD H. MAGINNIS

N.C. State Bar No. 39317

7706 Six Forks Road, Suite 101 Raleigh, North Carolina 27615

Telephone: 919-526-0450 Fax: 919-882-8763

kgwaltney@maginnishoward.com emaginnis@maginnishoward.com Counsel for Defendants

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

/s/ Benjamin R. Holland

Benjamin R. Holland (28580)

Margaret Santen (52927)

Carl M. Short III (46396)

Virginia M. Wooten (48180)

201 South College Street, Suite 2300

Charlotte, NC 28244

Telephone: 704.342.2588

Email:

benjamin.holland@ogletree.com maggie.santen@ogletree.com

carl.short@ogletree.com

carr.snort@ogietree.com

virginia.wooten@ogletree.com

CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiff hereby certifies that he has this day caused a copy of the foregoing to be served to all parties of record via the ECF filing system.

This the 16th day of March, 2023.

Counsel for Plaintiff

MAGINNIS HOWARD

/s/ Karl S. Gwaltney
KARL S. GWALTNEY